

**FINAL  
MITIGATED NEGATIVE DECLARATION  
AND  
RESPONSE TO COMMENTS RECEIVED**



**GARRAPATA STATE PARK  
COASTAL HABITAT RESTORATION AND TRAIL IMPROVEMENTS  
PROJECT**

**AUGUST 2012**

Lead Agency



State of California  
**DEPARTMENT OF PARKS AND RECREATION**  
Monterey District

## **MITIGATED NEGATIVE DECLARATION**

**PROJECT:**           **GARRAPATA STATE PARK**  
                          **COASTAL HABITAT RESTORATION AND TRAIL IMPROVEMENTS PROJECT**

**LEAD AGENCY:**   California Department of Parks and Recreation (DPR)

### **AVAILABILITY OF DOCUMENTS:**

The Initial Study for this Mitigated Negative Declaration was made available throughout the 30-day public review period at the reference desks of the Monterey Public Library. It was also available at the public information desk of DPR's Monterey District Headquarters offices. The Final Mitigated Negative Declaration and all supporting materials will be available, by request, at DPR's Monterey District Headquarters office.

### **PROJECT DESCRIPTION:**

The proposed project includes restoration of coastal habitat and improvements to the California Coastal Trail (Coastal Trail). A key goal of the coastal habitat restoration is to protect and enhance the seacliff buckwheat population in order to benefit the Smith's blue butterfly. Approximately 9.4 miles of trails currently exist within the project area. Many of these trails were created by park users and are not considered by park staff to be part of the Garrapata SP system trails. The project proposes to close and remove 6.3 miles of non-system trail segments in order to protect and restore Smith's blue butterfly habitat, protect archaeological sites, and address on-going accelerated erosion. The project also proposes to clearly designate and improve the Coastal Trail segments, totaling 3.1 miles. Proposed Coastal Trail improvements include capping the existing trail bed with an aggregate base, installing two new foot bridges and one puncheon (a low bridge with no hand railings) crossing at Soberanes and Doud Creek crossings, replacing wood and cable steps, designating and improving overlook sites, and installing signage. These trails would be accessed from a total of 17 existing trailheads. Trail use would continue to be limited to pedestrian use only.

### **FINDINGS**

An Initial Study has been prepared to assess the proposed project's potential impacts on the environment and the significance of those impacts and is incorporated in the Draft MND. Based on this Initial Study, it has been determined that the proposed project would not have any significant impacts on the environment, once all proposed mitigation measures have been implemented. This conclusion is supported by the following findings:

- There was no potential for adverse impacts on agriculture and forestry resources, land use and planning, mineral resources, population and housing, transportation/traffic, and utilities/service systems associated with the proposed project.
- Potential adverse impacts resulting from the proposed project were found to be less than significant in the following areas: aesthetics, air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, public services, and recreation.

- Full implementation of the proposed mitigation measures included in this MND would reduce potential project-related adverse impacts for biological resources, cultural resources, and hydrology and water quality to a less than significant level.

### MITIGATION MEASURES

The following mitigation measures have been incorporated into the scope of work for the Garrapata State Park Coastal Habitat Restoration and Trail Improvement Project and will be fully implemented by DPR to avoid or minimize adverse environmental impacts identified in this MND. These mitigation measures will be included in contract specifications and instructions to DPR personnel involved in implementing the project.

#### Significant Impact

#### Mitigation

Biological Resources	
<p><b>Impact BIO-1:</b> Trail rehabilitation would occur within and/or in close proximity to individuals of Monterey paintbrush (CNPS List 4; species considered to be locally unique by Monterey County). Plants of this species may be removed by trail rehabilitation and maintenance depending upon the extent of construction work required in each area.</p>	<p><b>Mitigation Measure BIO-1:</b> To avoid construction related impacts to Monterey paintbrush, DPR will incorporate the following measures prior to commencement of all construction activities:</p> <ul style="list-style-type: none"> <li>▪ Trail construction should be kept to the smallest feasible disturbance area. Material removed during trail construction should not be side cast onto adjacent coastal scrub and prairie. The limits of the work will be demarcated in the field. DPR will install flagging, fencing, and other protective measures around paintbrush plants that are to be avoided by the project.</li> <li>▪ DPR will use salvaged and/or seed collected from Monterey paintbrush in the revegetation effort so as to re-establish the species.</li> <li>▪ Invasive, non-native plant species (e.g., poison hemlock, iceplant, mustards, Cape ivy) that occur adjacent to work areas should be removed/controlled to prevent their encroachment into habitat supporting the Monterey paintbrush. Care will be given to ensure the root systems of Monterey paintbrush are not dislodged if invasive, non-native plants are hand-pulled. No herbicides will be used.</li> </ul>
<p><b>Impact BIO-2:</b> Construction of the bridges over Doud and Soberanes creeks would temporarily disturb some wetland vegetation, and if frogs are present in the work area, they</p>	<p><b>Mitigation Measure BIO-2:</b> To avoid impacts to California red-legged frog, DPR will schedule construction to occur during the dry season, generally between April 15 and October 15 of any given year and implement the following measures:</p> <ul style="list-style-type: none"> <li>▪ No more than 48 hours prior to start of</li> </ul>

**Significant Impact****Mitigation**

<p>may be injured or killed by construction. Construction of the bridge over Soberanes Creek may temporarily affect areas adjacent to the creek.</p>	<p>construction of the new footbridges at Soberanes and Doud creeks, a Service-approved biologist will conduct a visual survey of the work area for frogs. If any California red-legged frogs are observed within the work area, a Service-approved biologist will relocate the frogs to other suitable creek habitat upstream of the work area. The biologist will monitor the initial ground disturbance and vegetation removal. The results of the surveys, including whether any California red-legged frogs were observed or heard, and the species of all amphibians detected, will be reported to USFWS.</p> <ul style="list-style-type: none"><li>▪ DPR will secure a Safe Harbor Agreement with USFWS for the California red-legged frog prior to trail developments at Soberanes and Doud creeks.</li></ul>
<p><b>Impact BIO-3:</b> Impacts to Smith's blue butterflies could occur as a result of maintaining trails and overlooks and by enhancing and restoring habitat. Actions could damage or cause a direct loss of seacliff buckwheat, the species host plant. Trail maintenance may result in temporary habitat loss, disturbance and displacement during such activities. Incidental take of Smith's blue butterflies could also occur as a result of recreation and associated activities such as hiking on trails.</p>	<p><b>Mitigation Measure BIO-3:</b> To avoid, minimize, and compensate for impacts to Smith's blue butterfly DPR will implement the following measures:</p> <ul style="list-style-type: none"><li>▪ Prior to implementation of project improvements within areas supporting seacliff buckwheat, DPR will secure a Safe Harbor Agreement with USFWS that outlines measures DPR will implement to achieve measurable benefit to the species. The Safe Harbor Agreement will provide DPR incidental take coverage for Smith's blue butterflies occupying and associated with its host plant (seacliff buckwheat) that could be taken as a result of the proposed project. Incidental take coverage will be provided in this manner because detecting dead or injured individual Smith's blue butterflies in the various life stages would be difficult due to their small size and cryptic nature; however, damage to and/or loss of a host plant would be detectable. Therefore, the Safe Harbor Agreement, upon approval by USFWS, will authorize DPR to incidentally take all Smith's blue butterflies, in any life stage, occupying and associated with a pre-established number</li></ul>

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	<p>of its host plant (seacliff buckwheat), that could be killed or injured as a result of damage to and/or loss of one of those host plants. DPR will also implement measures to avoid take of the butterfly by minimizing removal of seacliff buckwheat during trail maintenance and improvement activities.</p> <ul style="list-style-type: none"><li>▪ Modifications in the trail alignment may be made to avoid dense patches of seacliff buckwheat.</li><li>▪ DPR will implement measures to encourage the increase in establishment of seacliff buckwheat to provide areas where additional habitat for Smith's blue butterfly could establish so as to potentially increase the abundance and distribution of the species within the project area. These measures include closure of 6.3 miles of non-system trails and restoration of approximately 5.0 acres of coastal scrub habitat through the removal and control of invasive, non-native plant species.</li><li>▪ DPR will collect seed from seacliff buckwheat for the purpose of planting and/or seeding of buckwheat plants to expand habitat for Smith's blue butterfly within the project area.</li><li>▪ Invasive, non-native plant species (e.g., poison hemlock, iceplant, mustards, Cape ivy) that occur in coastal scrub supporting seacliff buckwheat should be removed/controlled. Care will be given to ensure the root systems of seacliff buckwheat are not dislodged if invasive, non-native plants are hand-pulled. No herbicides will be used.</li></ul>
<p><b>Impact BIO-4:</b> Improvement to existing Trail 1F may result in impacts to Monterey dusky-footed woodrat nests. The species may be disturbed if trail construction occurs at nest sites.</p>	<p><b>Mitigation Measure BIO-4:</b> To avoid impacts to Monterey dusky-footed woodrat, adjust alignment of Trail 1F to avoid the existing woodrat nests. If this is not possible, implement the following measures:</p> <ul style="list-style-type: none"><li>▪ Two weeks prior to trail construction, a qualified biologist will construct a replacement woodrat nest for each nest that would be disturbed. The replacement nest will be located well outside the</li></ul>

**Significant Impact****Mitigation**

	<p>construction corridor in suitable habitat.</p> <ul style="list-style-type: none"><li>▪ Three days prior to disturbance of existing woodrat nests, a qualified biologist will conduct live trapping at those nests. Any woodrats caught will be relocated to the newly constructed replacement nests.</li><li>▪ After trapping is completed, the biologist will disassemble the existing woodrat nests by hand to allow any remaining woodrats inside to escape unharmed.</li><li>▪ The biologist will obtain approval from CDFG for the woodrat relocation effort, prior to implementing it.</li></ul>
<p><b>Impact BIO-5:</b> Willows may be trimmed to provide trail clearance near Gate 1 (Trail section 1F) and some riparian and wetland vegetation may be temporarily impacted from worker and equipment access during bridge construction at Doud Creek.</p>	<p><b>Mitigation Measure BIO-5:</b> To avoid impacts to riparian and wetland resources within the work area, DPR will implement the following:</p> <ul style="list-style-type: none"><li>▪ Prior to construction, orange plastic construction fencing will be constructed at the limits of construction access and the work area so as to prevent injury to nearby riparian and wetland vegetation.</li><li>▪ During construction, excess soil, chemicals, debris, equipment or other materials will not be dumped or stored within 20 feet of the creek edge.</li><li>▪ If vegetation is trimmed for trail access, trimmed vegetation will be allowed to re-grow. If trimming is required periodically, DPR will re-establish willow vegetation in a nearby area at a 1:1 impact to restoration ratio.</li></ul>
<p><b>Impact BIO-6:</b> Construction of the bridges at Soberanes and Doud creeks may cause temporary impacts to water resources if workers access the waterway.</p>	<p><b>Mitigation Measure BIO-6:</b></p> <ul style="list-style-type: none"><li>▪ A wetlands and waters of the U.S. delineation report will be prepared for the Doud Creek bridge area and submitted to the appropriate office of the U.S. Army Corps of Engineers (USACE) for jurisdictional determination under Section 4040 of the Clean Water Act. If required by the USACE, a 4040 permit under the Nationwide Permit Program will be obtained for the bridge project and all conditions imposed by the permitting authority will be implemented.</li><li>▪ A waters of the State (riparian and state</li></ul>

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	<p>waters) report will be prepared for the Soberanes and Doud Creek bridge areas and submitted to the appropriate office of CDFG and Regional Water Quality Control Board (RWQCB) for jurisdictional determination under Fish and Game Code and the Porter Cologne Act, respectively. If required by CDFG and/or RWQCB, a Streambed Alteration Agreement and/or Section 401 water quality certification will be obtained for the bridge project areas and all conditions imposed by the permitting authorities will be implemented.</p> <ul style="list-style-type: none"><li>▪ Best management practices will be implemented at watercourses; these practices include:<ul style="list-style-type: none"><li>○ Install orange plastic construction-limit fencing to demarcate the limits of work and worker access and to protect aquatic resources.</li><li>○ Conduct construction activities during the dry season.</li><li>○ Divert concentrated runoff away from channel banks.</li><li>○ Minimize tree limbing.</li><li>○ Identify with construction fencing all areas that require clearing, grading or disturbance.</li><li>○ Implement erosion control measures as needed. Monitor effectiveness of measures during the first year's rainy season and implement remedial measures (e.g., reseeding) if sedimentation or erosion is noted.</li><li>○ If riparian vegetation (willow) is removed, DPR will re-establish willow vegetation in a nearby area at a 1:1 impact to restoration ratio.</li></ul></li></ul>
<p><b>Impact BIO-7:</b> Construction activities may cause short-term impacts to nesting birds if they are present during construction. The noise from construction may cause nesting birds to abandon eggs or chicks, resulting in their death.</p>	<p><b>Mitigation Measure BIO-7:</b> DPR will implement the following measures:</p> <ul style="list-style-type: none"><li>▪ If possible, all noise generating construction activities will occur outside the raptor and migratory bird breeding season (August 1 – February 1).</li><li>▪ If construction-related activities must be scheduled during the breeding season, then</li></ul>

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	<p>focused surveys to identify active nests of migratory birds and raptor species will be conducted by a DPR-approved biologist before construction activities occur in these months.</p> <ul style="list-style-type: none"><li>▪ Surveys for active raptor nests will be conducted within a 500-foot radius of the project area 10 days prior to the beginning of construction at each work site. If nesting raptors are found, no construction will occur within a 500-foot radius of the nest until the young have fledged and the young will not be impacted by project activities (as determined by the biologist) and there is no evidence of a second nest attempt.</li><li>▪ Surveys for active migratory bird nests will be conducted within a 100-foot radius of the project area 10 days prior to the beginning of construction at each work site. If nesting raptors are found, no construction will occur within a 100-foot radius of the nest until the young have fledged and the young will not be impacted by project activities (as determined by the biologist) and there is no evidence of a second nest attempt.</li></ul>
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**Cultural Resources**

<p><b>Impact CULT-1:</b> Remnant roadbed removal, if not carried out sensitively, could result in significance disturbance to a potential historic resource.</p>	<p><b>Mitigation Measure CULT-1:</b> To avoid impacts to potential historic roadbed remnants when closing and removing non-system trails, the following measures will be implemented.</p> <ul style="list-style-type: none"><li>▪ Where the remnant roadbed is relatively stable, utilize fencing, signage or vegetation debris to discourage access and lightly scarify the surface to promote revegetation in order to reduce erosion.</li><li>▪ Where excessive erosion exists along the roadbed and remediation is needed to prevent further erosion of the roadbed, fill entrenched areas, install drainage dips as needed, and lightly decompact the surface to promote revegetation.</li><li>▪ Mechanical grading will not be conducted to remove the roadbed.</li><li>▪ If, at a later date, the roadbed segments are evaluated, documented, and determined by a qualified DPR representative not to be</li></ul>
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	eligible for the California Register, the roadbed may be removed.
<b>Impact CULT-2:</b> Non-system trail closure and removal, if not carried out sensitively, could result in disturbance to archaeological sites.	<p><b>Mitigation Measure CULT-2:</b> To avoid impacts to archaeological sites when closing and removing non-system trails, the following measures will be implemented within, and within 30 feet of, identified archaeological sites.</p> <p>For trail closures within the Soberanes Point area:</p> <ul style="list-style-type: none"><li>▪ The DPR District archaeologist, or other qualified archaeologist/designee, will inspect the location of the trail removals and closures prior to any soil disturbance to confirm the locations where an archaeological monitor will be required. The archaeological monitor will remain on site as warranted in the opinion of the archaeological monitor. In the event that a potentially significant cultural deposit is uncovered during construction, all work will be stopped at the specific location of the find until the DPR District Archaeologist, or other qualified archaeologist/designee, can evaluate it. Prior to work resuming at the location, the Archaeologist will determine the appropriate avoidance, preservation or recovery measures required, in compliance with DPR directives and CEQA. Work will not resume at the location until the appropriate measures have been implemented as determined by the Archaeologist.</li></ul> <p>Trail closure and removal measures where the trailbed is stable:</p> <ul style="list-style-type: none"><li>▪ Allow trail to revegetate naturally.</li><li>▪ Retain all open areas except at trail entrances.</li><li>▪ Distribute cut native vegetation at trail entrances for length of approximately 20 feet.</li><li>▪ Install cable and rod fencing only as needed.</li><li>▪ Avoid installing sign posts within, or in vicinity of, archaeological sites where feasible.</li></ul>

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	<p>Trail closure and removal measures where the trailbed is entrenched (uneven surface with substantial loss of soil within the trailbed):</p> <ul style="list-style-type: none"><li>▪ Within entrenched areas, decompact/ lightly scarify trail bed using hand tools.</li><li>▪ For entrenched trailbeds within, and within 30 feet of, an identified archaeological site, any excavated soil material will be used within the site area. Any soil excavated from an identified archaeological site will not be exported for use as fill beyond the archaeological site.</li><li>▪ For areas not located within, or within 30 feet of, an identified archaeological site, entrenched areas will be filled and capped with soil that has been removed for trail construction from the vicinity or clean fill from offsite will be used.</li><li>▪ No additional sites within the project area beyond those designated for trail improvements will be excavated solely to collect fill material.</li><li>▪ Install straw wattles as appropriate.</li></ul>
<p><b>Impact CULT-3:</b> Designation and use of the Coastal Trail segments could result in greater disturbance to archaeological resources due to trampling, accelerated erosion, and increased trail use. Widening of the existing trailbed could result in exposure, disturbance, or displacement of archaeological features or artifacts.</p>	<p><b>Mitigation Measure CULT-3:</b> To avoid impacts to archaeological resources from designating and widening the trailbed of Coastal Trail segments, the following trail improvement measures will be followed:</p> <ul style="list-style-type: none"><li>▪ Within entrenched areas, decompact/ lightly scarify trail bed using hand tools.</li><li>▪ For entrenched trailbeds within, and within 30 feet of, an identified archaeological site, any excavated soil material will be used within the site area. Any soil excavated from an identified archaeological site will not be exported for use as fill beyond the archaeological site.</li><li>▪ For areas not located within, or within 30 feet, of an identified archaeological site, entrenched areas will be filled and capped with soil that has been removed for trail construction from the vicinity or clean fill from offsite will be used.</li><li>▪ No additional sites within the project area beyond those designated for trail</li></ul>

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	<p>improvements will be excavated solely to collect fill material.</p> <ul style="list-style-type: none"><li>▪ Delineate and lightly scrape trailbed to maximum width of 48 inches.</li><li>▪ Cap trail bed with an aggregate base 6 to 8 inches in depth.</li><li>▪ At Soberanes Point, within the Trail Gate 7 area, and on the coastal bluff to the south of Doud Creek (Trail 19A), within, and within 30 feet, of identified archaeological sites, a qualified archaeological monitor will be present during construction of Coastal Trail improvements. The archaeological monitor will remain on site as warranted in the opinion of the archaeological monitor. In the event that a potentially significant deposit is uncovered during construction, all work will be stopped at the specific location of the find until the DPR District Archaeologist, or other qualified archaeologist/designee, can evaluate it. Prior to work resuming at the location, the Archaeologist will determine the appropriate avoidance, preservation or recovery measures required, in compliance with DPR directives and CEQA. Work will not resume at the location until the appropriate measures have been implemented as determined by the Archaeologist.</li></ul>
<p><b>Impact CULT-4:</b> Excavation for construction of interlocking and cable steps at Trail Gates 2, 3 and 5 could result in disturbance to archaeological resources.</p>	<p><b>Mitigation Measure CULT-4:</b> To avoid impacts to archaeological resources from excavation during construction of steps at Trail Gates 2, 3 and 5, the following combination of mitigation measures will be implemented:</p> <ul style="list-style-type: none"><li>▪ Prior to construction, the proposed step alignment down the bluff to the intertidal zone at Gate 2 will be flagged by DPR and inspected by a qualified archaeologist.</li><li>▪ A qualified archaeological monitor will be present during excavation for the steps at Trail Gate 3 and the cable steps anchors at Trail Gate 5. The archaeological monitor will remain on site as warranted by the archaeological monitor. In the event that a potentially significant cultural deposit is</li></ul>

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	uncovered during construction, all work will be stopped at the specific location of the find until the DPR District Archaeologist, or other qualified archaeologist/designee, can evaluate it. Prior to work resuming at the location, the Archaeologist will determine the appropriate avoidance, preservation or recovery measures required, in compliance with DPR directives and CEQA. Work will not resume at the location until the appropriate measures have been implemented as determined by the Archaeologist.
<b>Impact CULT-5:</b> Construction of the abutments for the Soberanes Creek pedestrian bridge could result in potential significant impacts to archaeological resources.	<b>Mitigation Measure CULT 5:</b> To avoid impacts to archaeological resources from construction of the abutments for the Soberanes Creek pedestrian bridge, the following measures shall be implemented: <ul style="list-style-type: none"><li>▪ Prior to any excavation, the DPR District Archaeologist, or other qualified archaeologist/designee, will verify the location of the proposed bridge abutments to ensure the location will not result in potential significant impacts to archaeological resources.</li></ul>
<b>Impact CULT-6:</b> Excavation for overlook improvements could result in impacts to archaeological resources.	<b>Mitigation Measure CULT-6:</b> To avoid impacts to archaeological resources during excavation for overlook improvements, the following combination of mitigation measures will be implemented: <ul style="list-style-type: none"><li>▪ Close access to existing unimproved overlooks within identified archaeological sites where feasible.</li><li>▪ Relocate overlooks at Trail Gates 1, 2, 10, and 17 South to the designated locations outside of identified archaeological sites. Overlooks 2, 10, and 17 South will be relocated to sites where previous archaeological posthole tests were conducted. Any excavation for the rock wall and bench posts will be located where previously marked and recorded by DPR staff based on prior testing. The District Archaeologist, or qualified archaeologist/designee, will verify the location of relocated overlooks at Trail Gates 1, 2, 10,</li></ul>

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	<p>and 17 South prior to any soil disturbance or excavation.</p> <ul style="list-style-type: none"><li>▪ The overlook at Trail Gate 12 will be located within the previously disturbed rock/thin soil area. The existing trail alignment leading to the overlook will be capped with aggregate base for a distance to be determined by a qualified archaeologist prior to construction of the overlook improvements.</li><li>▪ Excavation for overlooks will be limited to the rock wall (6 to 8 inches in depth), wood railing, and bench posts (36 inches in depth maximum).</li><li>▪ Overlook areas will be capped with aggregate base material.</li><li>▪ No new benches or wood railing will be installed within existing overlooks located within identified archaeological sites.</li><li>▪ A qualified archaeological monitor will be present during excavation for construction of the overlooks at Trail Gates 1, 5, and 12. The archaeological monitor will remain on site as warranted in the opinion of the archaeological monitor. In the event that a potentially significant cultural deposit is uncovered during construction, all work will be stopped at the specific location of the find until the DPR District Archaeologist can evaluate the feature. Prior to work resuming at the location, the Archaeologist will determine the appropriate avoidance, preservation or recovery measures required, in compliance with DPR directives and CEQA. Work will not resume at the location until the appropriate measures have been implemented as determined by the Archaeologist.</li></ul>
<p><b>Impact CULT-7:</b> Project-related activities could result in impacts to significant archaeological resources in areas not anticipated.</p>	<p><b>Mitigation Measure CULT-7:</b> To avoid unanticipated impacts to archaeological resources from project-related activities in areas, the following mitigation measure will be implemented:</p> <ul style="list-style-type: none"><li>▪ In the event that a previously undocumented, potentially significant cultural deposit is encountered during project related activities and no</li></ul>

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	archaeological monitor is present, all work will be stopped at the specific location of the find until the DPR District Archaeologist, or other qualified archaeologist/designee, can evaluate it. Prior to work resuming at the location, the Archaeologist will determine the appropriate avoidance, preservation or recovery measures required, in compliance with DPR directives and CEQA. Work will not resume at the location of until the appropriate measures have been implemented as determined by the Archaeologist.
<b>HYDROLOGY AND WATER QUALITY</b>	
<b>Impact HYDRO-1:</b> Alteration of the stream flow in Doud Creek and substantial erosion and siltation could occur if the pedestrian bridge and puncheon are not properly designed and installed.	<b>Mitigation Measure HYDRO-1:</b> To avoid alteration of the course of a stream and substantial erosion or siltation, DPR will implement the following: <ul style="list-style-type: none"><li>▪ The pedestrian bridge and puncheon at Doud Creek will be designed to avoid alteration of the stream flow. The final design and construction of the pedestrian bridge and puncheon at Doud Creek will be reviewed and approved by a qualified DPR representative.</li></ul>

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This document, along with the Draft Initial Study/Mitigated Negative Declaration (SCH#2012071053), corrected as noted above; Comments and Response to Comments; Mitigation Monitoring and Reporting Program; and the Notice of Determination, constitute the Final Mitigated Negative Declaration for the Coastal Habitat Restoration and Trail Improvement Project at Garrapata State Park.

Pursuant to Section 21082.1 of the California Environmental Quality Act, the California Department of Parks and Recreation (DPR) has independently reviewed and analyzed the Initial Study and Negative Declaration for the proposed project and finds that these documents reflect the independent judgment of DPR. DPR, as lead agency, also confirms that the project mitigation measures detailed in these documents are feasible and will be implemented as stated in the Negative Declaration.

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Mathew Fuzie, District Superintendent  
Monterey District

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Date

**DEPARTMENT OF TRANSPORTATION**

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Be energy efficient!*

August 9, 2012

MON-1-62.42  
SCH# 2012071053

Larry Tierney  
California Department of Parks and Recreation  
2211 Garden Road  
Monterey, CA 93940

Dear Mr. Tierney:

**COMMENTS TO GARRAPATA STATE PARK HABITAT AND TRAIL RESTORATION**

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the above referenced project and offers the following comments in response to your summary of impacts

1. Any work within the State right-of-way will require an encroachment permit issued from Caltrans. Detailed information such as complete drawings, biological and cultural resource findings, hydraulic calculations, environmental reports, traffic study, etc., may need to be submitted as part of the encroachment permit process.
2. The project is proposing to use existing turnouts in Caltrans right-of-way as staging areas. This would require an encroachment permit as mentioned above; a specific concern is that any activity in these areas would avoid impacts to seacliff buckwheat.

If you have any questions, or need further clarification on items discussed above, please don't hesitate to call me at (805) 542-4751.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. Olejnik".

JOHN J. OLEJNIK  
Associate Transportation Planner  
District 5 Development Review Coordinator  
[john.olejnik@dot.ca.gov](mailto:john.olejnik@dot.ca.gov)

cc: Brandy Rider (D5)



**RESPONSE TO COMMENTS RECEIVED ON THE GARRAPATA STATE PARK COASTAL HABITAT  
RESTORATION AND TRAIL IMPROVEMENT PROJECT INITIAL STUDY/MITIGATED NEGATIVE  
DECLARATION**

The only comment(s) received during the 30-day public review period for this project was from the California Department of Transportation, indicating an encroachment permit is required for any work within the State right-of-way. Department of Parks and Recreation will obtain an encroachment permit from California Department of Transportation as described on page 14 of the Draft IS/MND.

No significant corrections, additions, and deletions have been made to the Garrapata State Park Coastal Habitat Restoration and Trail Improvement Draft MND. Minor punctuation, spelling, and grammatical corrections that contribute to ease of understanding, but have no significant impact on the content, have not been noted.